

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

STEVEN LELINSKI

Plaintiff,

v.

Case No. 16-C-850

ALBERT DURAN, et al.

Defendants.

ORDER

The plaintiff filed a pro se complaint in state court, and the Defendants removed to federal court and then asked this court to screen the complaint. Upon initial review, it appears that not all of the Defendants have joined in the removal. Removal must be unanimous, or else the case will normally be remanded to state court. *Pettitt v. Boeing Co.*, 606 F.3d 340, 343 (7th Cir.2010) (“[V]alid removal generally requires the unanimous consent of all defendants.”) Here, Defendants Duran and Wall, neither of whom are represented by the state, have not joined or consented to the removal. It is unclear if they have even been served. *Mabe v. Golden Living Ctr.-Bransom*, No. 07-03268-CV-S-FJG, 2007 WL 3326857, at *3 (W.D. Mo. Nov. 6, 2007) (“the removal petition is effective if the defendants who did not join were not served in the state proceeding.”)

Accordingly, this court will not screen the complaint until it is clear that removal jurisdiction is proper. The removing Defendants should file a status report with the court on or before August 10, 2016, indicating their view as to whether the case may proceed in this court.

SO ORDERED this 7th day of July, 2016.

/s William C. Griesbach
William C. Griesbach, Chief Judge
United States District Court